

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:14-HC-2251-D

|                   |   |                             |
|-------------------|---|-----------------------------|
| JEROME VAN BUREN, | ) |                             |
|                   | ) |                             |
| Petitioner,       | ) |                             |
|                   | ) |                             |
| v.                | ) | MOTION TO DISMISS           |
|                   | ) | OR IN THE ALTERNATIVE       |
| KENNY ATKINSON    | ) | MOTION FOR SUMMARY JUDGMENT |
|                   | ) |                             |
| Respondent.       | ) |                             |

The Respondent, Warden Kenny Atkinson, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits this Motion to Dismiss or, in the alternative, Motion for Summary Judgment, pursuant to Fed. R. Civ. P. 12(b)(6) and 56. A memorandum of law in support of this motion is being filed herewith.

Respectfully submitted this 1st day of June, 2015.

THOMAS G. WALKER  
United States Attorney

By: /s/ Robert J. Dodson  
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CERTIFICATE OF SERVICE

This is to certify that I have this 1st day of June, 2015, served a copy of the foregoing upon the Petitioner in this action, a non-CM/ECF participant, by placing a copy of the document in an envelope in the U.S. Mail, addressed as follows:

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